



# City of Aurora

44 East Downer Place  
Aurora, Illinois 60505  
www.aurora-il.org

## Legistar History Report

**File Number: 20-0048**

**File ID:** 20-0048

**Type:** Ordinance

**Status:** ATS Review

**Version:** 3

**General  
Ledger #:**

**In Control:** Building, Zoning,  
and Economic  
Development  
Committee

**File Created:** 01/22/2020

**File Name:** Bloom Holding I, LLC / 35 N. Broadway / Cannabis  
Dispensing Facility / Special Use

**Final Action:**

**Title:** An Ordinance Granting a Special Use Permit for a Cannabis Dispensing  
Facility (2115) Use on the Property located at 35 N. Broadway

### Notes:

**Agenda Date:** 03/11/2020

**Agenda Number:**

### Sponsors:

**Enactment Date:**

**Attachments:** Exhibit "A" Legal Description, Exhibit "B"  
Memorandum of Agreement, Land Use Petition and  
Supporting Documents - 2020-01-22 - 2019.218.pdf,  
Plat of Survey - 2020-01-22 - 2019.218.pdf, Floor  
Plans - 2020-01-22 - 2019.218.pdf, Legistar History  
Report - 2020-02-26 - 2019.218

**Enactment Number:**

**Planning Case #:** AU22/3-19.218-SU

**Hearing Date:**

**Drafter:** tvacek@aurora-il.org

**Effective Date:**

### Related Files:

## History of Legislative File

| Ver-<br>sion: | Acting Body:  | Date:      | Action:         | Sent To:         | Due Date:  | Return<br>Date: | Result: |
|---------------|---|------------|-----------------|------------------|------------|-----------------|---------|
| 1             | City Council  | 01/28/2020 | referred to     | Planning Council | 02/04/2020 |                 |         |
|               | <b>Action Text:</b> This Petition was referred to to the Planning Council.    |            |                 |                  |            |                 |         |
| 1             | Planning Council  | 02/04/2020 | No Action Taken |                  |            |                 |         |
|               | <b>Action Text:</b> This Ordinance was No Action Taken                        |            |                 |                  |            |                 |         |
|               | <b>Notes:</b> <i>Representatives Present: Thomas Duffy and Peter Stazzone</i> |            |                 |                  |            |                 |         |

*My name is Tom Duffy. I am an owner along with my partner, Peter Stazzone, who is the President of our company, Bloom Holdings Corp. Bloom Holdings Corp. filed an application for a cannabis dispensary license with the State of Illinois on December 30th of last year. The process is that the State of Illinois will award licenses for cannabis dispensaries other than existing medical cannabis dispensaries that converted to recreational that are allowed to add on one dispensary to their existing*

dispensary. So the new round of licensing will be issued in May. We've applied for a license and we have identified 3 different locations that we intend to do business. We have a location in Wadsworth at the intersection of I-94 and 173 that we are in the Special Use process that is a mile from the intersection of I-94, the route up to Milwaukee, Wisconsin and north. We have a second location in Antioch on Route 83 that we are also in the process of getting a Special Use permit. Then the final location is at 35 Broadway in Aurora. We spent a lot of time looking at locations in Aurora. We'd looked at the location that's in the paper, the Meijer location that's in the news today, and we decided that we didn't think that was a good location for us because you had to get Meijer's approval and we wanted a single standalone building. We've also looked at properties on 31. We looked at Eola Road and we looked downtown. We think that for the opportunity that we would focus on downtown. We've been working with Bill Wiet, who has been very helpful and is a great person to work with. To make a long story short, we ended up getting involved with the owner of the property at 35 Broadway. We have a letter of intent to enter into a lease with an option to purchase. We are looking at putting a dispensary in the ground floor level, the first floor, but we also have the option of expanding into an additional 3,500 square feet in the basement, which would be very easy to finish and it's got very high ceilings. It is an attractive space. The building has been renovated. It is used as a cake decorating business and we have the full cooperation of the owner in appearing before you today. We think this property is ideally situated to suit the city's purposes. As I understand it, the city wants to have 4 dispensaries, 2 social equity. I am a social equity applicant and I'll explain that in a minute. We think that this location is superior visibility-wise, traffic count-wise, location-wise and the building is ideally suited for what we want to do. As you can see, we've adapted a floor plan, which was adapted from the floor plan we submitted to the State of Illinois as part of the licensing application. We had that retrofitted to the space that is currently developed on the property. You don't have to open any walls. Take furniture out, put our stuff in and we are ready to operate. Now this is an advantage for the city because that means that when we get a license, because I'm not saying if, because I think this is also a real estate transaction as much as it is a cannabis dispensary license procurement venture. For example, on the location we have in Wadsworth, I went up there yesterday to have that floor plan adapted for that space. That's 7,500 square feet. It's got 18 foot ceilings. We are going to have inside parking in there because parking is a concern as everyone has seen during the honeymoon period. We have ample parking there and we have more than ample parking here. We think that our operation is specifically tailored to this town because of the connections with the people that we are working with and that is Steve Warrenfeltz and Bill and the people that we've met through the process so far. We think we would be a valued member of your community. I know the Mayor is interested in foot traffic downtown. This will certainly help foot traffic. I think that that block, some of which is undergoing renovation, that our opening a business there would be a very significant stimulus to the further rehabilitation of that block. We know there are a number of development restrictions on properties downtown and we will satisfy every single one of them. We are not asking for any variances. We think our project will fit within the zoning. I've talked too long. I'll give you the social equity thing. I'll turn it over to Pete. He can say whatever he wants. Don't hesitate to interrupt us with any questions you may have. I'm a social equity applicant. I'm a lawyer, but I'm an artist and I have an art studio. I had an art studio in Waukegan and I had a couple of boats up there and I was arrested for possession of cannabis. I didn't get convicted. I was arrested. The purpose of the act to qualify as a social equity you follow 1 of 3 criteria. You were arrested or convicted for violation of the cannabis laws that were formerly in effect. That's me. You employ people that are from a census tract that is considered socially disadvantageous and you have employees like that. I don't even remember the third one because I got the first box checked. That didn't have any effect on my career or anything like that. There's no black marks. I'm still practicing law, very active in redevelopment of all kinds of properties. If you don't have any questions for me, I'm going to turn it over to Pete.

My name is Pete Stazzone. I'm Tom's partner, President of the company. One thing I want to say is that we submitted an application for 3 dispensaries. The other locations aren't like alternatives to Aurora like if we don't get something we are going to move somewhere else. We've got 3 sites because we've applied for 3 dispensary licenses. As Tom said, we are social equity qualified. I am currently the CFO, Chief Financial Officer of a cannabis company and I've been in the business for 4 years. Prior to that I was the CFO for a telecommunications company for 17 years. I'm a graduate of Illinois here. I'm a CPA. I got my MBA from DePaul University and I lived here the first 40 years of my life before moving out to Arizona, which is where I currently reside, but obviously, I'll be coming back here for Bloom Holdings. This property and the way it began is as Tom mentioned. Steve

Warrenfeltz was not only my college roommate, but he's one of my dearest friends and so when he started and was very instrumental with the Venue with the Fox Valley Music Foundation, you know I've been following along, and when he heard what Bloom Holdings was going to do he said you need to look at downtown Aurora, what's happening there. I've worked with the people and I know what the Mayor and the city is trying to do to downtown. I think it would be a great site. He then said why don't you talk with another Board member of the Fox Valley Music Foundation, which is Bill Wiet and that's how a lot of this came to be. They are both great guys. They both speak highly of their experience in dealing with the City of Aurora in getting the Venue opened. Part of our application with the State, you know, we have a community engagement plan and we did identify that the Fox Valley Music Foundation and as well as, I believe it has something to do with the Aurora Police Department with the things that we would like to contribute. We want to be good corporate neighbors. As far as the employees, the 3 social equity components were someone who had been convicted or arrested for a minor marijuana offense that owns 51% of the company or if you have more than 10 employees and 51% of those employees come from a disparaged impact area and three is if you lived in a disparaged impact area for more than 5 of the last 7 years or something like that and you own 51% of the company. Those were the 3 qualifications if you qualify. Since we qualify as social equity, our intent is however to hire from the Aurora community for our employees and particularly to seek those that would qualify social equity applicants and for that I'm hoping that we can get some direction here from the city of people or organizations we can talk to when we start that interviewing process. We certainly intend that would be our top priority for engaging employees for the company. My firm manufactures. We have grown and we are in 3 states not in Illinois. My company, which is called Straits, is not part of this. Them and the Board of Directors are fully aware that I'm involved with Bloom Holdings. I really welcome the opportunity to come back to Illinois and close out my career so to speak. I think it is a tremendous opportunity. I looked at putting a Harry Carey's restaurant where I think Walter Payton's is years ago. I was one of the original developers and owners of the first Harry Carey's restaurant in Chicago. We did a number of restaurants and hotels while we were there. Then that was sold off unfortunately because there's now about 5 or 6 Harry Carey's. I wish we would have kept them. But I do have experience in retail as well.

Mr. Sieben said could either of you touch on the application process? My understanding is the State is going to be giving out, is it 47 in May? Is that correct?

Mr. Stazzone said as Tom pointed out, the State is issuing 75 new licenses. There were 55 existing medical dispensaries in the State of Illinois and each one of those medical dispensaries were allowed to open a second one.

Mr. Sieben said those are the plus ones?

Mr. Stazzone said the plus ones. In fact, this one that Zen Leaf wants to do on Route 59, that would be their plus one. The state will then issue 75 new licenses to be awarded by May 1st to new applicants. They divided the State into what they call BLS regions for the 75. 47 of those new licenses will be issued in what's called the Chicago/Naperville/Elgin region and so that encompasses about 6 or 7 counties, Kane, Cook, DuPage, Lake, McHenry, and Will, so this falls under that Chicago/Naperville/Elgin BLS region. We've applied for 3 licenses within that. Obviously it was a very voluminous and exhaustive process compared to other states that I'm familiar with. The fact that they are focused on social equity I think is a good thing. In fact, it is kind of leading the way for future states that want to legalize marijuana. But part of it was environmental plans and security plans and employee training plans and purchaser training plans and operating and business, all these things, which we've done. We've engaged 2 consulting firms to help us with some experience plus the experience I have with people that I know in the industry that have helped with putting that together. We feel confident. Our Advisory Board of our company is made up of Joe Duffy, which is Tom's son. He has his own lobbying firm and has been active politically throughout the country in campaigns. Jim Lowry is one of the more prominent, just about the most prominent African American businessman. He is also an owner in our company. I've known Jim for 30 years. He has written books. His specialty is in diversity plans for cities and states. He is also currently a senior advisor or something like that at Boston Consulting Group. So Jim is part of it. Luba Andras and her husband Gene owned 2 medical dispensaries here in Illinois, 1 in Lakeview in Chicago and 1 in Rockford, which they sold in March of last year to Presco Labs. They spent 5 years owning and operating a

medical dispensary here in Illinois and they've been mentoring and advising me and will be instrumental in helping us with the opening, the vendor relationships for getting inventory as well as directing us to what they consider are the most qualified employees for us to employ for our company. Then Sherry Taylor is on our advisory. Sherry is a former Vice President of Ketmark Bank, which prior to that she was GMAC. She was the head of Human Resources and Compliance, so she will be instrumental in helping us with all the human resource issues that come as well as compliant issues.

Mr. Duffy said the one thing I want to say about this particular location, and I don't mean to interrupt your line of questioning, but there are a lot of people that are applying for licenses. There are 600 people that applied for licenses. There is no guarantee that any of us are going to get a license, but this property, the way it is situated right now, is such a desirable building and location, not just location, but building and location that I would anticipate in the unlikely event that we do not get a license people with licenses will be approaching us about being their partner on that building in opening a dispensary. That's a fallback plan. We don't intend to do that. We intend to get a license and we intend to operate a business there, but even if we are not part of the chosen few, we will still operate a dispensary there, which will be up and running, remember this building was renovated, up and running faster than something that needs a total rehab. One other thing about my son, my son is a lobbyist in Springfield. He ran the campaign for the Attorney General, Kwame Raoul, and he is an active participant in our venture and he has been working with many of the people in Springfield in connection with expanding this business and all the accompanying stuff.

Mr. Sieben said so we are in receipt of all the plans that are required, so we're in the process of reviewing that. Tracey is off sick today, but she'll be circling back with you if we have any comments or we need anything additional, but otherwise the next step would be setting it for the public hearing at our Planning Commission, so probably in the next week or so she'll be getting back to you with what that anticipated date is. She'll work with you on the notices. There are certified mailings that have to go out to properties within 250 feet. We do provide you guys with a sign. What goes out in the certified mail we provide you with a location map and an information sheet. She'll work with you on that.

Mr. Stazzone said we look forward to successfully completing the process.

Mr. Sieben said let me turn it over to the rest of the staff. Herman is our Building Director. Herman, any comments?

Mr. Beneke said nothing at this time. When you get to the building portion feel free to contact us at that time.

Mr. Sieben said Mark, any Engineering issues?

Mr. Phipps said no, I don't think so.

Mr. Sieben said Fox Metro?

Mr. Frankino said we are just happy to be a part of the process. I'll give you my card.

Mr. Minnella said what's your plan for the second floor?

Mr. Sieben said there is an existing State Farm agent. Are you guys closing on the lease?

Mr. Duffy said he has a lease. I don't know when it expires. The owner of the building and I toured the building, we went through his space, it is nice, and I originally visited the building with the intent of inspecting the first floor, but the basement is very attractive. Pete was in Vegas last weekend and he saw a store in Vegas that he said was really very impressive. It is like a superstore and it is high-end. I had never been to a dispensary in Illinois and Sunday I went to the dispensary in Mundelein and it was not impressive. This is going to be an impressive operation. It is going to be high tech. The basement, I think, is going to be part of it. I don't know what number of square feet that we're going to

do in the basement. I think this location would merit more than just the first floor, including the basement and God knows, maybe the third floor sometime. We're looking to have an option to purchase the building so we have the flexibility to deal with it. Right now our letter of intent is for a lease with a stated term and to negotiate an option to purchase and the owner of the building is very interested in being part of this venture. Thank you very much for your time. If anyone has any questions, call us.

- 1 Planning Council 02/11/2020 No Action Taken
 

**Action Text:** This Ordinance was No Action Taken

**Notes:** Mr. Sieben said this is currently under review and Tracey will be getting out the information for sending out the public notice for a Planning Commission meeting in March.
- 1 Planning Council 02/18/2020 No Action Taken
 

**Action Text:** This Ordinance was No Action Taken

**Notes:** Mrs. Vacek said this will be going to Planning Commission on March 4th, so I will be voting this out next week.
- 1 Planning Council 02/25/2020 Forwarded Planning Commission 03/04/2020 Pass
 

**Action Text:** A motion was made by Mrs. Vacek, seconded by Mr. Minnella, that this agenda item be Forwarded to the Planning Commission, on the agenda for 3/4/2020. The motion carried by voice vote.

**Notes:** Mrs. Vacek said this is going to Planning Commission on March 4th, which is next week. I will make a motion to move this out. There might be some additional conditions on timing. Mr. Minnella seconded the motion. The motion carried unanimously.
- 2 Planning Commission 03/04/2020 Forwarded Building, Zoning, and Economic Development Committee 03/11/2020 Pass
 

**Action Text:** A motion was made by Mr. Cameron, seconded by Mrs. Head, that this agenda item be Forwarded to the Building, Zoning, and Economic Development Committee, on the agenda for 3/11/2020. The motion carried.

**Notes:** Mrs. Vacek said as you may recall on June 25, 2019, the Cannabis Regulation and Tax Act was signed into law by the State effective January 1, 2020. Subsequently, the City of Aurora passed Ordinance O19-072 on October 22, 2019 requiring a Special Use Permit for qualifying Cannabis Dispensing Facilities with a Special Use Permit being permissible in the B-2, B-3, DC, ORI, M-1, M-2 Districts and business areas within the PDD's. With that being said, the Petitioner is here tonight requesting approval of a Special Use for a Cannabis Dispensing Facility. Bloom Holdings, LLC is proposing to occupy the ground unit of the building, which is 3,350 square feet with the option to expand into an additional 3,500 square feet of the basement, which is currently vacant. The second floor unit, which is currently the State Farm Insurance Company, will remain. With that being said, I will turn it over to the Petitioner. They can kind of introduce themselves and go into a little bit more detail, unless you have any questions for me.

The Petitioners were sworn in.

My name is Tom Duffy. I live in Chicago. My home address is 5609 N. Miltmore Avenue, Chicago. I am a shareholder in Bloom Holdings Corp. and the manager of Bloom Holdings I, which is the real estate arm of our endeavor. I'm also a social equity qualified applicant for the Illinois license necessary to open a cannabis dispensary. I would like to introduce the President of our Company, Peter Stazzone. He'll give you a little of his background in a minute, and Chere Taylor, who is a Board member of ours who is our Human Resource consultant. In addition, Scot Bode is the owner of the building and he supports the proposal and if you have any questions, we'd be happy to address them to any of these people. In addition, if there is anyone in the audience that has any questions we'll be happy to address them either here or after the meeting and if they wish to call me I'd certainly be happy to respond. How did we get here? Pete will go into more detail but Pete and Steve Warrenfeltz went to the University of Illinois together where they were fraternity brothers and they were roommates. We started looking for dispensary locations up north along the border between Illinois and Wisconsin and we have a property that is currently at the corner of Route 41 and 173 in Wadsworth, Illinois that is currently in the process of issuing a Special Conditional Use for us to operate a cannabis dispensary there. We also have another property that we are involved in in

Antioch that we are working on that we are also in the process of submitting that. We went to these two locations because we believe, and Pete has been very active and involved in the cannabis industry for a long time, and the dispensaries that are the most profitable in Oregon and Washington are the ones that are on the border with states that do not permit recreational cannabis. In the process of doing that, Pete was talking to Steve, Steve Warrenfeltz, who is as I mentioned Pete's former roommate, and Steve said why don't you come here? So Pete and I came out here and we met some people at the Venue. Bill Wiet was one of them. They encouraged us to look around here and we spent some time here looking around. We looked at 59. We looked at that property that was previously brought before the City Council and we didn't go with that it because we wanted a stand-alone building that had adequate parking that would enhance the opportunity for us to get a license with the State of Illinois. I did some legal work in Aurora decades ago. I represented Chelsea CGA, which was merged into Simon and the acquisition of the Chicago Premium Outlets and doing all the wetland mitigation and trading and all that kind of stuff. I did the original TIF there. I've got to tell you, this town has changed dramatically since I was last here. This town is undergoing a renaissance and we want to be part of that. We think that this building in this location on that block will get a tremendous economic stimulus by us bringing our business in here and turbo charging the redevelopment of that area. We've complied with, we believe, all of the requirements in your Master Plan as it relates to the operation, the location, and everything else and would be consistent with the operations that we are planning here. As far as this building is concerned, the building is ideal. It was renovated, and it is very nice, by Scot, and it is a high-end quality location. I don't know if you've been to any of these other dispensaries, but they are not the quality that we're going to hopefully have in this dispensary. I brought along a couple of pictures that Pete took when he was in Las Vegas not too long ago and it shows you what the dispensary looks like in the Las Vegas dispensary that we're going to use as a quality standard. It is not going to be identical, but it is going to be that kind of a quality. I had my secretary blow these up and it sort of gives you the flavor of what we are talking about. It is going to be a high-end operation that's consistent with the other locations that we are talking about that are going to be high-end. We submitted in connection with this Petition, a floor plan that shows the dispensary would consist of everything on the first floor in the space that's currently occupied by the business that's there, the cake decorating business. But we anticipate, based upon what we hope to put in there and the volume and the foot traffic that we think we'll generate, we hope to expand and enlarge it into the basement, which would make it a 6,000 square foot dispensary. But it would be high-end. It would be a pleasant retail experience as opposed to what I think is walking into a sparse building where you stand in lines and wait outside. We don't want that. I've talked enough. I'd like Pete to take over and sort of give you some flavor in terms of the operation, security and other issues that I think we should address in this presentation. I'm available for any questions that you have.

Good evening. My name is Peter Stazzone. I live at 800 W. Flint Street in Chandler, Arizona, although I lived in Illinois for 40 some years before moving to Arizona. As Tom previously stated, I was a lifelong Illinois resident until I moved to Arizona. I went to the University of Illinois where Steve and I became acquainted and 40 some years later we are still very, very good friends. I attended graduate school at DePaul. I'm a CPA and I've been the Chief Financial Officer in high technology companies, telecommunications, for 20 years and then 4 years ago I became the Chief Financial Officer for a multi-state cannabis company. That's how this all began. My company is not part of Bloom Holdings at all, although they are very much aware of it and I have the blessings of the Board to proceed. They are hoping that they might make a foray into Illinois at some point, but it is just not the time for them and we have other priorities. That being said, I talked with Tom and we've been friends for a long time. Tom's been an attorney who's represented myself personally and my companies through the last 30 some years. When Illinois was proposing to go rec, being in the business I knew the opportunities and what it presented. My company currently operates in the states of Washington, Nevada and Colorado. I do know, as Tom pointed out, that in the states of Colorado and Oregon that there is an opportunity when you have neighboring states that haven't approved recreational use. Speaking with Steve and following what's occurred in the Venue and with the Fox Valley Music Foundation and the Blues on the Fox festival that they put on, in telling them what we're doing Steve suggested what about Aurora and I said what about Aurora. He said we've done this Venue and the City of Aurora has a Master Plan for the downtown and I think that it might be something that they should be considering and that you should consider. So as Tom mentioned, we first looked around Illinois 59 because of the border. When we were at the Venue with Steve and with

Bill they said what's wrong with downtown. There is a lot of good happening in downtown Aurora and so that's how we began in looking for a location here in downtown. We've applied with the State for dispensary licenses and as part of that process there were 20 exhibits that cover everything from operating, business plan, environmental plan, community engagement plans, security, etc. We utilized 2 consultants to help us with that in addition to obviously my experience in the business. We have a very strong application as a result of that. One of the consultants is Medicine Man Technologies out of Denver. They own dispensaries and grow operations and they were instrumental in some of the medical marijuana dispensaries here in Illinois 5 years ago in helping with the consulting of those. We'll also be employing them on a consulting basis to help us with the operations, establishing the operations and some of the SOP's necessary for our dispensaries here. In addition to that, we do have an Advisory Board of some seasoned business professionals. Chere Taylor, who is here, and she can introduce herself in a bit, is a former Senior Vice President of Capmark Bank and before that Vice President of GMAC Mortgage in Human Resources. We'll be leaning heavily on Chere in helping with not only Human Resources, but all types of compliance reporting issues we have as well. Another person on our Advisory Board is one of the more prominent African-American businessman in the State of Illinois and his name James Lowry. In fact he has a book that just came out. He's been an expert in minority hiring, diversity hiring and things like that not only for the state but also through the country and besides an Advisory Board member, he's also an owner of Bloom Holdings as well. Another Advisory Board member is Luba Andras. Luba and her husband Gene owned two medical marijuana dispensaries here in Illinois, one in Rockford and one in the Lakeview neighborhood of the north side of Chicago. It is called MedMar. They've been mentoring and advising me throughout this whole process regarding things like security and operations and some of the things that they experienced in getting theirs. MedMar sold the first, I think they made the first sale back on January 1. They sold their ownership to Cresco Labs, a huge public cannabis company about 10 months ago. They have just been awarded licenses in the State of Missouri, but they are also advising us. They also directed us to Medicine Man Technologies, who they utilized when they were able to submit their applications and, of course, they were successful and highly recommended them for help in opening our dispensary in addition to the people we'll hire. Chere will talk to some of that. As far as our employees, we intend to, as Tom mentioned, we are social equity qualified, but we also intend to try and staff as much of our Aurora operation with Aurora residents. Of course, Aurora is considered, as far as residents here, would be considered social equity qualified because they come into the disparaged impact area designated by the state. There is nothing like being a good corporate neighbor. We intend to support some local non-profits here in Aurora. One of them we've actually identified in our state application, which is the Fox Valley Music Foundation, but we also intend to work with some of the other organizations here and we'll talk with some of the members if they have some recommendations in addition to that. Some of the concerns or residents and merchants in nearby areas, I'd like to address to some of it. There have been some research reports, one of them by NORML, which is an organization. What they found out is besides the tax revenue, some of the other benefits to the community included there's been a 19% decrease in crime in the areas, the neighborhoods where a dispensary is located due to the fact that we have 24/7 security cameras, lighting as well as live security guards on premise. So it is understandable that it would be a significant deterrent to crime in that area. Also, there are reports and there is another organization, and I'd be happy to give it to you, but I don't have it off the top of my head, who did a research report. Property values have increased in both residential and commercial properties between 7.8% and 8.4% in communities where they are surrounding communities of a dispensary, which also adds to the tax base, eventually to the community as well. It not only makes the merchants happy, but also will be attracting more business owners to it. As far as foot traffic, I know there was an article in, I believe it was, the Tribune a couple of months ago in Skokie. The Skokie Mayor was talking about foot traffic how there was a nail salon, there was an Ace Hardware, not to mention that there was a bar and restaurant that benefited from all the foot traffic when people would never be there. Of course, when it first was allowed on January 1st, there was a lot of press about the long lines of people and a lot of those people decided than rather wait in the cold they went to the surrounding merchants and so there was an increase in activity there. We feel that not only do we have a strong application with the state, but we feel that we have a great location here for Aurora. We have a lot to contribute to Aurora. We intend to be a good corporate neighbor. We encourage our employees, which will be mainly from Aurora residents to get actively involved as well. We will be hosting educational clinics and seminars so that the community is aware of some of the things as far as children, under age use, and things of that nature. With that, if there are any

questions, I'd be happy to answer them.

Mr. Cameron said some of your claims seem to me a bit fanciful. Actually downtown Aurora is a pretty secure spot and I don't quite see how a pocket of security at one spot is going to tremendously reduce the crime rate downtown. I understand your point is that you would not likely add to any crime, but I think the way of wording it was a bit strange.

Mr. Stazzone said Commissioner I agree with you. There are some fears that usually residents have is that it is going to increase crime and that was really the point as you pointed out.

Mr. Cameron said in the future I'd suggest you may want to reword the direction you are taking. There was another one, but a couple of those last three items just didn't play well with me. I understand the point, but I think you really ought to take a look at how you present it because there are a lot of words in the dictionary and some of them just make it seem better than the others.

Mr. Stazzone said I appreciate that advice. We'll be changing some of the wording in the future. I'd like to introduce Chere Taylor who is on our Advisory Board and will be heading up our Human Resources as well.

Good evening everyone. My name is Chere Taylor. I am the owner of Fulcrum H.R. Consulting. I live in Oak Park, 823 Erie Street in Oak Park, Illinois. I am a long-time friend acquaintance of Peter Stazzone. We worked together many years ago and he, through our conversations, mentioned to me that he was starting this business and that's how I got involved. To give you a little bit of flavor on my background, I come from mainly a corporate environment. I worked for a Division of General Motors, GMAC, for many years as a Senior Human Resource Manager, Vice President, Senior Vice President and also headed up the Human Resources function for Capmark Bank. I left the corporate environment because quite frankly the bank went out of business during the last recession and I decided to open up my own HR consultancy. The name of the company again is Fulcrum and we're a full service H.R. consulting company. I work with many different industries, professional type industries, a lot of compliance issues, so definitely a very strong H.R. background. I graduated from Dominican University in River Forest with a Bachelor of Science in Organizational Leadership and am certified by the Society of Human Resource Management, Senior Certified, so a very strong Human Resource background. In addition to doing future, hopefully, Human Resources functions or overseeing the Human Resource function, I've done fundraising to help get the initiative off the ground so that we could do the initial applications, but the long-term plan would be for me to oversee the Human Resource function and also the some of the compliance aspects of the business. Can I answer any questions for anybody?

Mr. Duffy said do you want to mention the job fair?

Ms. Taylor said one idea that we were talking about the other day is if we were awarded that particular location to have a hiring event or a job fair on site so that citizens of Aurora would have easy access to be able to apply to work at that location on Broadway. I think that that would be a much more direct way to get local residents to be able to apply for working at the dispensary.

Mrs. Anderson said how many employees are looking to hire at this location?

Ms. Taylor said between 15 and 20.

Mrs. Anderson said that's full time?

Ms. Taylor said it is a mix of full and part time.

Ms. Tidwell said I don't know if you are the right person for this question, but my understanding is that these facilities may only be open from 8:00 a.m. until 10:00 p.m. I saw something on one of the pages in the materials that this will be open from 6:00 a.m. to 10:00 p.m. Is that accurate?

Mrs. Vacek said the state is 6:00 a.m. to 10:00 p.m. The state allows the dispensaries to be from 6:00



a.m. to 10:00 p.m. The city has actually limited that to 8:00 a.m. to 10:00 p.m. What you might have been reading is what the state allows.

Ms. Tidwell said so what would be the hours for this facility then?

Mr. Duffy said the city hours.

Ms. Tidwell said which is 8:00 a.m. to 10:00 p.m.?

Mr. Duffy said right.

Mr. Cameron said I'm a little confused on the type of license that you are looking for and could you just briefly review the participation of the local, I'm not sure what we call this, but there are two kinds of dispensaries or licenses and it would be helpful to me to have you at least review what those difference are.

Mr. Duffy said we are seeking a dispensary license. The State of Illinois has various different licenses that they approved as of January 1st. There is a transportation license with trucks delivering product to dispensaries. There is an infuser license, which is making chemicals and extracts, so edibles and stuff like that. There is a grower's license where you can grow up to 250,000 square feet. There is craft growers license, which is a license that allows up to 5,000 square feet. It's like a craft brewery sort of concept. Those are the various different types of licenses. There is a category in the state law that favors, there are 250 points that you need to satisfy to get a license from the State of Illinois. 60 of the 250 points are awarded if you qualify as a social equity applicant. There are three ways you can qualify as a social equity applicant. One is you have been arrested for cannabis. We checked that box. Sometimes something that's tragic turns out to be okay. The second is being a resident of the town in which you are opening and we don't qualify there. The third is to hire more than 51% of the people that are employed in your business that are people in the census tract that qualifies you as social equity. We will check two out of the three boxes. In the minutes of prior meetings that we've had on this project, we've discussed that we are always going to adhere to hiring through the social equity program to satisfy that requirement too. Does that answer your question?

Mr. Cameron said yes. As part of your presentation, are you going to go over the physical plans of the building because I have some questions?

Mr. Duffy said we are here to answer any questions that you may have.

Mr. Sieben said we can pull up the floor plan.

Mr. Cameron said I've seen the floor plan and I just have questions in my mind on exactly how you handle the security with a full second floor up over head. I realize that in the vault area it is reinforced concrete and slows down, but my questions is will the stairwells at both ends, will you blanket those areas with cameras and stuff because you could have people hiding in those areas and lessened security there. The vault is covered with that whole back area in there. It would seem to me as though you would either have to have a lot of electronic stuff that may or may not work where you need to have an armored partition so that you don't have an area where people can penetrate, can drop down and potentially invade the vault. That's my area of questions.

Mr. Duffy said first of all, there are going to be cameras all over the place, including all of the interior stairways and isles and things like to that. To the extent that we need to fortify the existing structure to make it impenetrable, we will do so. I don't have the detailed engineering on how we are going to do that, but to the extent that we need to make sure that this is a secure facility and that no one can invade the facility, that is part of our cost of operating.

Mr. Stazzone said as part of the whole process you have to have a security contract in place, which we have. Our security contractors have worked on and provide security to a number of medical marijuana dispensaries already in the State of Illinois as well as other states. Before when you were granted a license, it is a conditional license by the state and before you are allowed to get an

unconditional license, they are going to actually have to have a walk through. There will be an inspection and the state is going to have to approve, obviously, that you meet all the requirements that they have for it. We are very confident that between our security contractor as well as our architects and engineers that we'll have that locked down. It is a big huge concern not only for the community but also a big concern as the owner of a business too that we prevent any type of forced entry.

Mr. Cameron said one of the other people that were in had a non-secured access to a bathroom that their engineers had missed to that point. My retirement gig was I was in charge in 16,000,000 square foot of schools, so as my wife said I can be anal and so those are the areas I just see potential holes and just want to make sure that at least you know where I am at least.

Mr. Stazzone said I think one of things that you are getting with a couple of guys with grey hair is that through all of our experiences we found out that getting advice from anyone is always welcome and sometimes if you miss something, I hope we don't because we did a lot of vetting of who are engineers and our security will be, but if there was something we certainly would welcome any advice or recommendations that you Commissioners could point out to us.

Mr. Duffy said can I say one last thing? In reference to your questions, Scot, the owner of the building, would be happy to discuss any concerns that you have in terms of how to satisfy the security issues that you raised. If that may require some structural alterations, we'll do it if necessary.

The public input portion of the public hearing was opened. The witnesses were sworn in.

My name is Mark Hogan. I've been working on a project in downtown Aurora for 2 years. I'm trying to open that Tavern on Broadway at 24 N. Broadway. We are getting close. I've been dealing with all the inspectors in the last few days and I've been yelling at a lot of them. They're not happy, but we're getting there. This is kind of hard because I know Scot and he is a great guy and he loves downtown Aurora, but I'm here to say I do not support it. My reason is not a moral one. It's what's going to happen to downtown. I went by the dispensary in North Aurora last night at 6:45 and the parking lot was full. The parking lot, if you know down there, most of it is in the back of the building. You don't really see it from 31. The parking lot was full. There were cars waiting to go down the hill and actually one car was still on 31 waiting to turn in. There were two squad cars, North Aurora squad cars, in the parking lot north of the building in the bike parking lot. Why they were there I do not know. So I went by this morning to count the stalls and there are approximately 156 stalls at that building, plus or minus a couple. I just think that downtown can't handle that many cars coming and going at all hours. We did the parking lot in back of those buildings on Broadway. I don't know how many stalls are there, but I'm pretty sure that is not 156. I just think that it will create traffic that will be unbearable. One of my biggest concerns down here is parking and I think a lot of the merchants in downtown have always been concerned with parking. I know you guys have heard it a thousand times. That's just my feeling. I think the number of cars coming in and out every day will be a huge issue and I'm very concerned. That would be about it.

Good evening. My name is Rick Allen. I'm the owner of 32-36 N. Broadway. I am directly across from the proposed dispensary. I agree with Mark. I don't have a moral issue with the product being sold, but my office has been there for 6 plus years now and I've owned the building about 15 years and I'm all for something getting better in downtown Aurora. I've watched my building depreciate over that time, property taxes go up. I originally bought the building. I own my own business as well as I'm a real estate investor. I originally wanted to put in 4 apartments upstairs. The problem is that on the east side of that block there is no parking and it's been an issue to put the funds in, the investment in, and not be able to get my return when I can't have my tenants park in back. The concern I have is what Mark said. My attorney is actually 100 yards or less in North Aurora and I was actually there a couple of weeks ago in the parking lot on the phone watching people go by and I didn't actually realize the dispensary was there and a North Aurora policeman was across the street perpendicular to the road. I thought it was actually a speed trap. I couldn't figure out what they were doing and when I went and saw my attorney he was talking about how they had to block their parking lot of 50-75 spots, the whole block had to be blocked off. I also know that the proprietors, the owners of Harners, they had issues. People were parking way down there. Again, I'm not trying to dispel any

of the investment these gentlemen are making. As an entrepreneur myself, I get it. I just don't know what we are going to do with the parking. I pay a monthly fee to park right behind my building on the west side and if I don't get there at 12:00 o'clock there's not parking there now because of the casino. This will just add to that unless you folks can figure out this parking situation. All I can tell you, as Mark echoed, and as my attorney said, they are going to fill that, behind the building, that will be filled up very quickly. They literally in North Aurora are parking blocks and blocks around it and walking for blocks and downtown Aurora will just be, in my opinion, a quagmire. Again, that's just my opinion on it. That's a major, major concern, the traffic. Thank you.

My name is Scot Bode. My address is 347 Robinson Way, Batavia, Illinois 60510. I'm only compelled to speak now based on other comments. I came here and parked behind my building after 6:00 o'clock and there were hardly any cars in that lot. As a business person, if that parking lot was full at 6:45, personally I would be happy because that means there is commerce and there is additional foot traffic. If we want to speak about investment, I made an investment, my company did, in 2012 is when we came down here. If you can roll the decks back on your calendars, that was prior to the RiverEdge Park even being built. We made an investment down here to have our America's headquarters for our business, a retail showroom. We are not a retail company. We produce and manufacture for retailers. The reason we made such a big investment is there were natural amenities to the area. The Transportation Center, we have international clients that come in that don't necessarily have to drive, so we are 2 blocks away from the train station. Hotel accessibility, one block. We would do seminars week-long where people would come and stay. Obviously, over time businesses change, but our business has grown and evolved as well to the point where we've outgrown our current facility and have purchased a warehouse in the City of Aurora where we have previously been renting and am working towards expanding that. We are a destination ourselves, our business is. They will come where we are at. That being said, we're not retail. Now again, we made an investment in 2012, approximately Memorial Day weekend. It was Memorial Day weekend we identified the property and made an offer. Because of everything going on with the building, it took until basically Labor Day until we could take possession. Then we went on a one year chartered course of rehabilitation for the project, of which Ed was actually involved in that at that time too through his capacity with the city and oversaw that project. There has never been a time that there has been a lack of parking in downtown. I can attest in the 8 years I've been down here. The project that the city did behind the building, which is the E Lot is phenomenal. It was well overdue. The number of parking garages that are within walkable distance are far more agreeable than what would have been done on the Farnsworth option. But it is a corridor of Broadway that needs some assistance in development and foot traffic and an opportunity to literally have thousands of additional foot traffic on that corridor per week would additionally drive business along those two blocks and including Galena, but would also enhance the value of all the properties and give an opportunity for additional businesses to actually want to be on Broadway. Broadway really does have a blight, but it is not because a business might want to come here. It has a blight because no one is investing and doing what it takes to build a business and to grow part of a community. To even give a little bit more credence to this, as part of my business growing, I engaged Invest Aurora that I'm actively looking and as well stated to them if you need additional properties to show as people are looking to come in and invest in this fine city, you can put my dot on the map. My property is available. It is not for sale, and I won't put a sign in the window, but it is available because ultimately I'm going to be building out a different facility and Invest Aurora is the one who engaged me as an opportunity for this and that is how I met the people that have petitioned and are here tonight making the presentation. There is a wonderful thing happening in Aurora and I believe this could be another gold star in continuing to drive development and growth in the area. If anyone ever wants to take a visit to my building, I'm very proud of the investment that we made. In truth, until now the two investments being made at Galena on both sides of the Street, there's not been an investment bigger than ours on Broadway. Please fact check me, but certainly not in the last decade in those two blocks. We'll continue to work to strive to make enhancements to the building. I have intentions of finishing off the second floor for additional office space. Those plans are in the works as we speak. Anyone interested in walking through the building at any time, I'm happy to tour you through. If you have any questions further for me tonight, I'm at your disposal as well. Thank you.

Good evening everyone. My name is Steve Warrenfeltz. I live at 103 S. Calumet, Aurora, Illinois 60506. I'm the person that both Tom and Pete referred to as going to school with Pete at the

University of Illinois. I graduated in 1974 with an accounting degree. I spent 3 years in public accounting and I spent 20 years with Peak Anti-Freeze as their Chief Financial Officer and then as the President and CEO of the company. I currently own my own business called Kiss the Sky. It is a record store located in Batavia. We've been in business for 25 years now. One thing that I want to impress upon you is that as a retail business owner I would love to have the foot traffic that this dispensary, I feel, is going to generate. In fact, if you can get me a spot right next to that dispensary I'd love to move my business down there. I'm sure I would benefit greatly from it. So parking, is it an issue down here? In the years that I've lived here and been coming to the downtown area, I don't think it is a significant problem. As you know, or you may know, I'm part of the Fox Valley Music Foundation that opened up the Venue. We so far have sold close to 8,000 tickets in less than a year that we've been in business there and we have yet to have a problem with parking. I respect what the other people are saying, but I don't see it that way. I think it is a good thing to have that kind of problem and I think we need to look towards the future. We need to solve that problem if it is a problem, but we need to bring more people down to the downtown area. I think generating the increased foot traffic will be good for all business in general. Thank you.

The public input portion of the public hearing was closed.

Chairman Pilmer said I would ask the Petitioner to come forward. I might ask staff as well. I think the questions were about parking. I believe staff could help. I think Lot E holds 111 spaces, but there are additional lots adjacent, so could you help with that?

Mr. Sieben said Lot E, which is directly behind the property, does have a reconfigured 111 spaces. The City of Aurora just spent a lot of money reconfiguring that parking lot to make it more accessible. We worked with the business owners on some of the façade work behind the building in making it more attractive and connectivity to Broadway. So that just got finished. But there are 111 spaces directly behind there. There are obviously other spaces in the downtown. I think Rick mentioned parking lot F has 28 spaces for example. There is a lot of parking in the downtown. There is some other street parking. I believe there was also a comment that there is 156 spaces, it was implied, available to Verilife in North Aurora. I believe with previous testimony with the last dispensary, a lot of people came out and again brought up examples of Verilife, which is in another community, North Aurora. I believe the testimony was that they only have 6 parking spaces to them because they are in a multi-tenant facility, so parking is very difficult there. I do feel the City of Aurora, nothing against North Aurora, does a pretty good job with planning for that. I know that was a unique situation, but there is a lot of parking in the downtown and just right behind this facility there are 111 spaces.

Ms. Tidwell said pardon my ignorance but is there pay parking in downtown Aurora?

Mr. Sieben said no. The spaces are free. There are certain time limits depending on the location. I believe the minimum is 90 minutes and they go up from there. The garages, I believe, have a minimum pay. They may have the first hour free. There are a couple of garages also.

Ms. Tidwell said are those city garages?

Mr. Sieben said yes.

Ms. Tidwell said so do you have statistics as to occupancy levels in downtown that you can share?

Mr. Sieben said I don't have those specifically, but my understanding is there is still excess capacity with the current parking facilities. We have regular bi-weekly or every three weeks we have the Parking Committee with city staff. I think right now we still have excess capacity.

Ms. Tidwell said I'm sorry, but that's based on knowing the occupancy?

Mr. Sieben said we have a Parking Division that comes to the meetings and we do parking enforcements. We are aware of what's available.

Mrs. Head said would that group also get any complaints, concerns, etc. and then those would be

addressed?

Mr. Sieben said absolutely. We meet every 2 to 3 weeks, our Parking Committee, absolutely.

Mr. Duffy said just as an aside, we went through this issue in Wadsworth. We have an acre and a half and we have 41 on-site spaces and we didn't think that was enough. So I went across the street and there is a hotel/motel, it's not a place you'd probably want to stay, but it's okay and I negotiated a ground lease for 100 spaces across the street. I want to give you our statistics on these parking lots that are available for this particular site. I don't know if these are right, but these are the numbers that I have. We have 100 spaces behind the building in Lot E. In Lot M, which is right behind that Fire Museum, there are 49 spaces. In Lot N there are 63 spaces and that's at the northwest corner of Broadway and New Street behind the La Quinta restaurant. In parking Lot R there are 36 spaces and this is often used by the casino. So if you add this up, our numbers show that there are 250 spaces that are within walking distance for potential customers in the various parking lots. The reason I brought up Wadsworth is if we're going to operate a quality business like that, we want to make sure that the customers are not walking around and hanging in parking lots like they are doing in North Aurora and like they are doing in Mundelein. So we are going to have adequate parking and if this doesn't work we are going to find it because it is not just satisfying the city's requirements, it is also creating the experience so we are going to get repeat customers. Thank you.

Chairman Pilmer said I might ask about capacity from a retail perspective. There's probably over 200 space there in those three lots, but I doubt your store will take 200 people. Do you limit the number of people in at a time?

Mr. Duffy said no, I hope not.

Chairman Pilmer said from a security perspective wouldn't you have to limit it down to how many customers you would take in at one time?

Mr. Duffy said it is hard for me to predict what the traffic is going to be like, but if there is an excessive amount of traffic and there are traffic jams we'll have security people on the street to address the problem and provide alternative parking so that that this situation doesn't occur.

Mr. Cameron said it seems to me that one of the other people that have been before us had some conversations about helping control the clumping effect by using appointments. Do I remember correctly? I just didn't know if you have ran into that.

Mr. Stazzone said appointments are pretty standard at a lot of dispensaries. We'll have appointments, we'll do online ordering and all we can to limit a huge rush of people waiting in line. That's pretty much what the majority of dispensaries are doing. A lot of them do online ordering as well to reduce that as well.

Mr. Cameron said I don't know if the one in North Aurora is doing that. My guess is they may not be and that may be part of the problem.

Ms. Tidwell said can you address, based on the square footage here, which I think you said was 3,350 initially, what the maximum capacity at any one time would be for customers?

Mr. Duffy said I don't know the answer to the question, but we'll get you an answer.

Ms. Tidwell said and I'm not talking about the Fire Marshall's capacity. I'm talking about the capacity in the business as you (inaudible).

Mr. Duffy said there's not a bunch of people standing inside waiting to get in. I don't know the answer to that question and I will get an answer for you.

Mrs. Vacek said staff would recommend conditional approval of an Ordinance granting a Special Use Permit for a Cannabis Dispensing Facility Use on the property located at 35 N. Broadway with the

following condition:

1. That the Petitioner agrees that the required documents submitted pursuant to the Special Use permit are subject to re-review and comment by staff if the state license is issued for the subject property. The Petitioner further agrees to make any requested modifications based on said re-review prior to building permit being issued for the subject property.

Mr. Cameron said I'll move for approval with conditions and if you'd add that thing of Carol's request for capacity and those particular figures.

MOTION OF CONDITIONAL APPROVAL WAS MADE BY: Mr. Cameron

MOTION SECONDED BY: Mrs. Head

AYES: Mrs. Anderson, Mr. Cameron, Mr. Divine, Mrs. Duncan, Mr. Elsbree, Mrs. Head, Ms. Tidwell

NAYS: Mr. Reynolds

#### FINDINGS OF FACT

1. Is the proposal in accordance with all applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mrs. Anderson said these are listed in the staff report.

2. Does the proposal represent the logical establishment and/or consistent extension of the requested classification in consideration of the existing land uses, existing zoning classifications, and essential character of the general area of the property in question?

Chairman Pilmer said this is a retail use now. The zoning will remain a retail use and, therefore, is consistent with the general area.

3. Is the proposal consistent with a desirable trend of development in the general area of the property in question, occurring since the property in question was placed in its present zoning classification, desirability being defined as the trend's consistency with applicable official physical development policies and other related official plans and policies of the City of Aurora?

Mr. Cameron said yes it is.

4. Will the proposal maintain a compatible relationship with the traffic pattern and traffic volume of adjacent streets and not have an adverse effect upon traffic or pedestrian movement and safety in the general area of the property in question?

Mr. Cameron said it hasn't changed on the route in Broadway and the area behind it we would assume has been designed with a complete revision of the parking lot and the traffic flow through that area.

5. Will the proposal allow for the provision of adequate public services and facilities to the property in question and have no adverse effect upon existing public services and facilities?

Mrs. Head said those are already in place.

6. Does the proposal take adequate measures or will they be taken to provide ingress and egress so designed as to maximize pedestrian and vehicular circulation ease and safety, minimize traffic congestion, and not substantially increase the congestion in the public streets?

Mr. Cameron said the same answer as #4.

Chairman Pilmer said I might add too that we've heard some testimony or concern about congestion in the area. I might add that this is on a state highway with sufficient parking in the general area in a

retail district.

9a. Will the special use not preclude the normal and orderly development of improvement of surrounding properties due to the saturation or concentration of similar uses in the general area?

Chairman Pilmer said it will not be allowed based on the zoning that is in place with the Special Use.

9b. Is the special use in all other respects in conformance to the applicable regulations in the district in which it is located, except as such regulations may in each instance be modified by the City Council pursuant to the recommendations of the Plan Commission?

Mrs. Head said it is in compliance.

Mrs. Vacek said this will next be heard at the Building, Zoning and Economic Development Committee on Wednesday, March 11, 2020, at 4:00 p.m. on the fifth floor of this building.

Aye: 7 At Large Cameron, At Large Anderson, Fox Metro Representative Divine,  
SD 204 Representative Duncan, SD 129 Representative Head, At Large  
Tidwell and At Large Elsbree

Nay: 1 Aurora Twnshp Representative Reynolds

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